

<b>Notice of Allowability</b>	Application N .	Applicant(s)
	09/885,093	KASPIT ET AL.
	Examiner	Art Unit
	Man Phan	2665

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address--*

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to the communication filed 06/21/2001.
2.  The allowed claim(s) is/are 1-8.
3.  The drawings filed on 21 June 2001 are accepted by the Examiner.
4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All    b)  Some\*    c)  None    of the:
    1.  Certified copies of the priority documents have been received.
    2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 11/15/01
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

***Reasons for allowance***

1. This communication is in response to applicant's communication in the application of Kaspit et al. for a "Protection in a communication network" filed 06/21/2001. This application claims foreign priority based on the application # 143658 filed 06/10/ 2001 in Israel. Receipt is acknowledged of papers submitted under 35 U.S.C 119(a) – (d), which papers have been placed of record in the file.
2. Claims 1-8 are allowable.
3. The following is an examiner's statement of reasons for allowance: The instant application is deemed to be directed to a no obvious improvement over the prior art of record. The improvement comprises the steps of wherein under normal operating conditions the optical communication switch receives the first part of communication carried along the first segment of the first optical path at the first interface, and convey it towards the second segment of the first optical path; receives a second part of the communication carried along the second segment of the first optical path at the second interface, and convey it towards the first segment of the first optical path; receive the second part of communication carried along the first segment of the second optical path at the first interface, and convey it towards the second segment of the second optical path; receive a first part of the communication carried along the second segment of the second optical path at the second interface, and convey it towards the first segment of the second optical path; and wherein in response to a fault detected along the second segment of the first

optical path, the optical communication switch diverts the first part of communication received from the first segment of the first optical path at the first interface, and convey it via the second interface towards the second segment of the second optical path; and divert the first part of communication received from the second segment of the second optical path at the second interface, and convey it via the first interface towards the first segment of the first optical path; wherein a bandwidth allocated for carrying the second part of communication along the second optical path is equal or greater than the bandwidth allocated for carrying the first part of communication along the first optical path and a bandwidth allocated to carrying the first part of communication along the second optical path is equal or greater than the bandwidth allocated to carrying the second part of communication along the first optical path, as specifically recited in the claims.

*Conclusion*

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The Chaudhuri (US#5,745,476) - the errorless switching techniques in ring network.

The Tokura et al. (US#5,469,428) show the loop back system in dual ring network.

The Gerstel et al. (US#5,793,746) is cited to show the fault-tolerant multichannel multiplexer ring configuration.

The Flanagan et al. (US#5,159,595) is cited to show the ring transmission system.

The Ohara (US#5,495,472) is cited to show the methods and apparatus for utilizing protection paths as additional working paths in switched ring network systems.

The Fukushima et al. (US#6,205,562) is cited to show the path switching method, path switching apparatus and nodes of UPSR.

The Daruwalla et al. (US#6,269,452) is cited to show the system and method for fault recovery for a two line bi directional ring network.

The Iwamoto et al. (US#5,790,520) is cited to show the path protection switch ring system for line saving even though line setting operation was not carried out.

The Shiragaki (US#6,657,952) is cited to show the ring network for sharing protection resource by working communication paths.

The Fang et al. (US#6,504,963) is cited to show the optical fiber protection switch.

The Marra et al. (US#5,341,364) is cited to show the distributed switching in bi-directional multiplex section-switched ringtransmission systems.

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have any questions on

access to the Private PAIR system, contact the Electronic Business Center (EBC) at toll free 1-866-217-9197.

***Any response to this action should be mailed to:***

Commissioner of Patents and Trademarks

Washington, D.C. 20231 **or faxed to:**

(703) 308-9051, (for formal communications intended for entry) **Or:**

(703) 305-3988 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Man U. Phan whose telephone number is (571) 272-3149. The examiner can normally be reached Monday through Friday from 6:00 am to 3:00 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu, can be reached on (571) 571-3155. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

MPhan

Jan. 11, 2005

*Man U. Phan*  
MAN U. PHAN  
PRIMARY EXAMINER